FOR MYSORE STATE

Agriculture **(1956) Department.**

Ms. **SERIES.**

G.O. No. 299

Dated 7-2-1956

Passed
W
Subst

13

[Despatch Abstract.

Forests - Timber - South Kanara Division -
Irregularities in the sale of Timber in 1951 -
Loss to Govt. on resale - Write off - Sanctioned

Copy of letter No.5210/52-D4, dated 16-5-1955, from the Chief Conservator of Forests, Madras to the Secretary to the Government of Madras, Agriculture Department, Madras.

Sub:- Gazetted Officers - Sri C. Sridhara Mannadiar - Irregularities in timber sales - Disciplinary action

Ref:- Government Memo No.102124 CIII/54-2, Agriculture dated 21-10-1954.

I submit that the irregularities committed in the sales of timber in South Kanara Division in July 1951 were in respect of 2 lots viz., 207 teak logs sold to Sri N.S. Mani Iyer and 1172 teak logs sold to Sri K. Narayana Bhat.

2. In respect of the lot originally sold to Sri N.S. Mani Iyer Government had incurred a loss of Rs. 2509-8-0 as reported in Chief Conservator's Ref.No.5210/52-M1/D4, dated 22-7-1954.

3. As regards the lot originally sold to Sri K. Narayana Bhat, the Conservator, Ootacamund Circle has reported that the actual loss to Government can be known only after the unremoved produce is sold in auction. The final report from the Conservator in the matter is awaited.

4. The Conservator of has fixed the responsibility for the wrong measurement and the loss on Sri N.P. Chirukandan and Forester Sri M. Manamohan (now Temporary Ranger).

Sri N.P. Chirukandan, Range officer has been asked to show cause why he should not be compulsorily retired from service for this and other charges relating to the Nilgiris Division. His explanation with the remarks of the Conservator has been received and is under examination.

As regards Sri Manamohan, Forester (now temporary Ranger) he has been asked to show cause why he should not be permanently reverted as Forester. His explanation is awaited.

/True Copy/

Superintendent.

21.6.85

To C IV

2.7.

Agri. (E.IV) Dept. 3/55

Memo. no. 59702-E.IV/55-1 dt 2.7.55

Sub: Forests - Timber - Irregularities in sales - Loss to Govt. - Further Report called for.

Ref: From the C.C.F., Ref. No. 5210/52 Dt. dated 16.5.55.

Plinth 2.7.55

pl cf

The attention of the C.C.F is invited to para 3 of this letter cited and

In the C.C.F. is Requested to State whether the final Report of the Conservator, Ootacamund Circle has since been received and if so when his further Report (to Govt) ~~Referred to in para 3 of his Reference cited~~ ~~to Govt~~ may be expected.

CENTRAL DESPATCH BRANCH

To Date C.C.F. Despatcher's Initials.

NR 18.7.55

Pl 25.6.55.

28/6/55

Pl 1.7.55

O.P. 82 ( )— 70,12,633—12-3-54.

5

Forest Department

From (Name) Sri S.K. Bassu, I.F.S.,

Designation Chief Conservator of Forest,

Station Madras-5.

Received ——— Registered ———

To

The Secretary to Government,
Agriculture Department,
Madras-9.

Enclosures: ———

Ref.No.5210-52,D4,dated 27-8-1955.
No. ———, dated ——— 195 .

Sir,

Sub: Forests - Timber - Irregularities in Sale - Loss to Government - Further report:

Ref: (i) Chief Conservator's Ref.No.5210-52.D4,d/16-5-55:
(ii) Government Memo No.59702-C.IV/55-2,Agri,d/11-8-55;

In continuation of para 3 of the reference first cited I submit that out of 1172 teak logs originally sold to Sri K. Narayana Bhat, two logs of 36 c.ft. were missing and their value at Rs.5-5-0 per c.ft i.e. Rs.191--4--0 is being recovered from the subordinate responsible. The remaining 1170 logs ~~were~~ were auctioned on 28-3-55 and they fetched Rs.6295/- on resale. The loss sustained by Government in the transaction is Rs.43088-10-0 as detailed below:-

Quantity sold originally to Sri K.Narayana Bhat and amount realised from him.

1172 Teak 'C' class 8724 C.ft. at Rs.5-5-0 per c.ft.		Rs.46,346--4--0
Deduct		
Amount realised on resale	--Rs.6,295-0-0	
Amount ordered to be recovered from the forester being the value of 2 missing logs of 36 c.ft.at Rs.5-5-0 per c.ft.	--Rs. 191--4-0	
	Rs.6486--4--0	6,486--4--0
		Rs.39,860--0--0
Add.interest paid to Sri K.N. Bhat.	Vide:G.O. Ms.No.3150, Agri.d/21-10-1954.	1,657-12--0
Cost of the suit paid to Sri K.N.Bhat.		1,570-14--0
	Total loss.	43,088-10--0

for CHIEF CONSERVATOR OF FORESTS.

Mks.31/8.

1/9/55.

Agri. (e. IV) 5 Dept.

Memo. No. 59702. e. IV/55. 7 dt 30. 9. 55

Dl issue
IV
30/9/55

Sub: Forests - Timber - Irregularities in Sale - Loss to Govt. - Further report.

Ref: From the C.C.F., Ref. No. 5210/52 Dt. dated 27.8.55.

page 5 ex

The C.C.F. is requested to consider the question of recovering a part or whole of the loss from the persons responsible. He is also requested to submit a report on the disciplinary action taken against the two subordinates

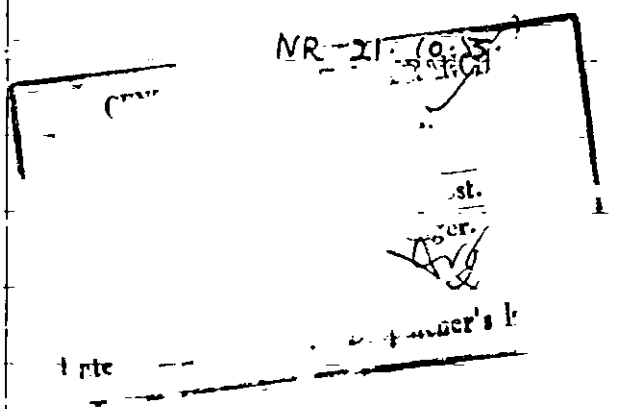
8

Sri N.P. Chirukandan, Ranger and
Sri M. Manamohan, Forester; and
the steps taken to have the ultimate loss in the transaction written off.

30.9.55

30.9.55

30.9.55



C.F. 82( )—70,10,658—20-1-54.

FOREST Department

From (Name)
Sri S.K. Bassu, I.F.S.,
Designation
Chief Conservator of Forests,
Station
Madras-5.

105604

Received — Registered

To
The Secretary to Government,
Agriculture Department,
Madras.

Enclosures: Ref.No.5210-52 D4, dated 2-12-55.

Sir,

Sub: Forests--Timber--Irregularities in sale--Loss to Government--write off--Sanction--Requested.

...

Ref: 1. Chief Conservator's Ref.No.5210-52 D4 dated 27-8-55
2. Government Memo No.59702-CIV/55-7 Agriculture dated 30-9-55.

...

A | I submit that as soon as Sri K. Narayana Bhat refused to take delivery of the logs on the score of alleged short measurement, the then District Forest Officer should have cancelled the contract and sold the logs in public auction at the risk and loss of the contractor. But the District Forest Officer did not take this line of action. The District Forest Officer concerned was Sri C. Sridhara Mannadiar (since retired). The Conservator Ootacamund circle has

B | fixed the responsibility for the wrong measurement and the loss on Sri N.P. Chirukandan, Ranger and Sri M. Manamohan trained Forester. The Forester has been permanantly debarred for promotion to Rangers' cadre. Sri N.P. Chirukandan has been asked to show cause against compulsory retirement. The matter is under consideration. As it is

C | not possible to recover in part or whole of the huge loss of Rs.43088-10-0 from the poorly paid subordinates, I suggest that Government be pleased to write off under section 66 of the Madras Forest Department Code the loss of Rs.43088-10-0 (Rupees forty three thousand and eighty eight and annas ten only) incurred by Government in the transaction.

for CHIEF CONSERVATOR OF FORESTS.

cmv 2.xii.

2.12.55.

Agr Dept (C. IV Sec)

C no. 59702 C IV/55.

Pl. Journ
Pl
7.2.56

pp 32-35 cf (Z)
pp 5 + 9 CF.

Sub: Forests - Timber - South Kanara Division - Irregularities in the sale of timber in 1951 - Loss to Govt on re sale - Write off - Sanctioned

Read again:- G.O no. Ms 3150 Agr d: 21-10-54

Read also:- From the C.C.F Ref no. 5210/52-D.4 d: 27-8-55 and 2-12-55

G.O no. Ms. 299 Agri d: 7/2/56.

In the circumstances stated by the C.C.F. the Govt accept his recommendation, and direct that a sum of Rs 43,088-10-0 (Rupees forty-three thousand and eighty eight and annas ten only) representing the loss sustained ~~by Govt~~ by the resale of 1172 teak logs of 8724 cft which were originally sold to Sri K. Narayana Bhat in July 1951 and the sale of which had to be cancelled subsequently, be written off the accounts of South Kanara Division

Pl
23/1/56

Pl
23.1.56.

7.2.56.

J. The C.C.F.
J. The A.G. thro Finance.
Date
Section Officer's Initials.

59702-E.IV/55

C.M

5970

B

M

Agri C.III Dept.

Extract from file C.No.102124 CIII/54.

Please see the letter from the C.C.F. on p. (7) c.f. with ref. to Govt. memo on pp.5-6 c.f.

It has already been decided in circulation that Sri C.S. Mannadiar, should not be held responsible for the loss caused to Govt. and that he was not seriously at fault to justify action at this stage after his retirement. The C.C.F. has now reported that he is fixing the responsibility for the loss caused to Govt. on other forest subordinates and that disciplinary action is being taken against them.

As the C.C.F. is competent to dispose of the disciplinary proceedings initiated against the forest subordinates, no further action seems called for in this file. A copy of the C.C's letter on p. (7) c.f. may be given to C.IV section to watch the further report referred to in para 3 on p. (7) c.f.

Fin. may see before the papers are closed.

K.S.M.
27-5-55.

Agri U.O.No.102124 CIII/54-7
dt. 27-5-55.

Fin. (Audits) Dept.

(Previous Finance note on p. 12 above)

The notes and orders in circulation on pp. 11-13 above may be perused.

Sd. --
7-6-55

Fin. U.O.41959 Auts./55
dt. 7-6-55.

Agri CIII Dept.

Notes of this Dept. from p. 13 above and the further note of Fin. above may be perused.

The papers may now be lodged as suggested

#2/

59702/55

at 'M' on p. ~~13~~ ante.

A.G.
14-6-55

N.S.A.
16-6-55.

/True Extract/

Agri. Ce.IV) Sept

Please see the extracts of notes from page 1 above. With reference to 'B' therein a draft memo to the C.C.F. is submitted below for approval.

28.6.55.

1.7.55

28/6/55

Memo. no. 59702.e.IV/55-2, dated 11.8.55 to the C.C.F.

From the C.C.F., Ref. No. 5210-52 Dk, dated 27.8.55.

The further report from the C.C.F. on page 5 c.f. with reference to para 3 of his reference ~~to para 3 of his reference~~ on p.1.c.f., may be perused. He has stated therein that the net loss to Govt. in the transaction in question is Rs. 43,088-10-0 after deducting a sum of Rs. 6,486-4-0 by way of the value of the logs realised on resale, and the amount ordered to be recovered from the Forester responsible for the loss, as detailed at 'A' on p.5.c.f.

2. It will be seen from para 4 of the C.C's report on p.1 c.f. that the responsibility for the wrong measurement of the logs which resulted in the cancellation of the sale and subsequent loss to Govt. ~~is~~ has been fixed on Sri N.P. Chirukantan, the Rangey, and Sri M. Manamohan, Forester (now temporary Ranger). It is also stated therein that Sri Chirukantan has been asked to show

59702

cause why he should not be compulsorily retired and that Sri Manamohan has been asked to show cause why he should not be permanently reverted as Forester for the irregularity in question. Obviously the C.C.F. considers the above punishments will meet the ends of justice, and that it is not proposed to make good the loss in whole or any part, ~~of it~~, ~~sustained by Govt.~~ sustained by fool, The entire amount therefore will have to be written off. The C.C.F. will, no doubt, take necessary steps to have the loss written off after orders are passed on the explanations of Sri Chirukantan and Sri Manamohan. The proposals of the C.C.F. to write off the loss may be dealt with separately as and when received. The papers may therefore be lodged after perusal by Finance.

13.9.—

Fin.

Fin.(Accts.)

Thro' C.F. 12.9.55

10.9.55

10.9.55

Agri. ii o. no 59702. e 10/55-5

13.9.55.

The notes on pp. 1-3 above may be perused.

The C.C.F. may be asked to consider the question of recovery of the loss or a portion of it from the persons responsible. A finding report on the action taken with reference to 'N' above and the present stage of the disciplinary action taken against the two subordinates may also be called for from the CCF.

14.9.55 Agri

24.9.55

Fin U.O. 71610 Accts/55-2

24.9.55

ADDITIONAL UNDER SECRETARY TO GOVERNMENT FINANCE DEPARTMENT 13 SEP 1955

UNDER SECRETARY TO GOVERNMENT AGRICULTURE DEPARTMENT 27 SEP 1955

4

Agri. (E.W) Dept. 5-7-52

Note of Finance on page 3 above, may be perused.

2. Finance have suggested that the C.C.F. may be asked to consider the question of recovering a part or whole of the loss from the persons responsible. They have also suggested that a report may be called for from the C.C.F. on the disciplinary action taken against the two subordinates responsible for the loss. Subject to orders, a draft memo. to the C.C.F. is submitted below.

30.9.55

30.9.

30.9.55

Memo No. 59702 C/W/52-7 d. 30.9.52 to the C.C.F. p/c

From the C.C.F. Ref No. 5210-52-D4 d. 2.12.52 p/c

XX

In July 1951, the D.F.O. South Kanara sold in auction to one Sri K. Narayana Bhat 1172 'C' class teak logs of 8724 c.ft. at Rs. 5-5-0 per c.ft. The amount realised from the sale was Rs. 46,346-4-0 against which the purchaser had deposited Rs. 9,500/-. When the purchaser was pressed to pay the balance amount due to him, he represented to the D.F.O. about the inaccuracies in the departmental measurement of the logs. A subsequent measurement of the logs disclosed a deficit of 1040 c.ft. in the lot sold to the purchaser. When the matter was referred to the C.C.F, the previous C.C.F. held that the purchaser should be bound by the conditions of the sale under which he should have accepted the departmental measurement, and that he should pay the balance due to Govt. under his contract. It was also ordered by the C.C.F. that Departmental action might be taken against the subordinate officers responsible for the wrong measurement. When the purchaser was pressed for the payment of the balance amount, he issued a suit notice under Section 80 C.P.C. Code for the

para 1 p 7 cy (2)

para 3 p 7 cy (2)

N p 8 cy (2)

R p 8 cy (2)

para 6 p 8 cy (2)

refund of the amount of Rs.9500/- collected from him as deposit together with interest at 6% per annum from the date of its payment. The Govt. Pleader, South Kanara was of the view that the Govt. had not a very strong case and he suggested that the question might be settled amicably with the plaintiff. The contractor also subsequently filed a suit on 28-8-55, and the Collector was instructed to negotiate and effect a compromise if the plaintiff was agreeable to such a course. The Govt. at the instance of the C.C.F. also sanctioned the payment of a sum of Rs.12728-10-0 to the party for effecting the compromise. In August 1955, the C.C.F. reported that the timber when resold fetched only a sum of Rs.6295/- and the total loss incurred by the Govt. amounted to Rs.43088-10-0 as detailed in his reference on p.5.c.f.

2. At the instance of Finance Dept. the C.C.F. was asked in the Memo on pp.7-8 c.f. to consider the question of recovering a part or whole of the loss from the persons responsible for the loss in question. He was also asked to submit a report on the disciplinary action taken against the subordinates involved, and also the steps taken to have the ultimate loss written off.

3. In his reply on page 9 c.f. the C.C.F. has stated that, as soon as Sri K. Narayana Bhat refused to take delivery of the logs on the score of alleged short measurement, the then D.F.O. should have cancelled the contract and sold the logs in public auction, at the risk of the contractors, but the D.F.O. is not reported to have taken this line of action. He has stated that the D.F.O. concerned was Sri C. Sreedhara Mannadiar, who has since retired. The Conservator, Ootacamund Circle, is reported to have fixed the responsibility for the wrong measurement on Sri N.P. Chirukandan, Ranger, and Sri M. Manamohan, Trained Forester. The Forester

Accts

is reported to have been permanently debarred from promotion to Ranger's Cadre, and the Ranger has been asked to show cause against compulsory retirement, which is stated to be under consideration. The loss in question is stated to be Rs.43,088-10-0. As it is not possible to recover in part or in whole such a huge amount from the poorly paid subordinates, the C.C.F. has suggested that the loss may be written off under section 66 of the Madras Forest Dept. Code.

3 p 9 cf

Cx

c p 9 cf

4. In view of the position stated by the C.C.F. it is for consideration whether his suggestion will be accepted and the loss of Rs.43,088-10-0 will be written off. For orders.

A

5. Finance may see for remarks.

The officer involved (Sri C.S. Narasaiah) has retired from Service. The only other subordinates who could be held responsible for the wrong measurement are the Ranger & the Forester. Disciplinary action has been taken against both of them. The amount involved is quite large (Rs 43,088-00-0) & it would be both hard & unfair if the 2 subordinates sought to be recovered from them.

'A' above may therefore be approved.

M

13/12/55 Dy 15/12/55

15.12.55

Fin

Fin (Accts.)

(Pge. Fin. Note on p. 3 above.)

The further Notes of Agri. from xx on Agri O.O 59702 Cdn/55-10 16/12/55 p. 4 above may be perused.

In the circumstances stated, this Dept. may agree to the write off of Rs 43,088-10-0 as irrecoverable.

M(F&E) may see.

23/12. 22/12/55

24/12/55

Agri

ADDITIONAL DEPUTY SECRETARY TO GOVT. 17 DEC 1955 FINANCE DEPARTMENT 9499

UNDER SECRETARY TO GOVERNMENT 30 DEC 25 AGRICULTURE DEPARTMENT

: 114212

Fin U.O 110499 Accts/57 28.12.55

5970/55

Agri.(C.IV) DEPT

Note for circulation

Corpus of ①

The file relates to the proposal of the C.C.F. for write off of a sum of Rs. 43,088-10-0 being the loss incurred by Govt. due to irregularities in the sale of timber.

para 1 on p7 of ②

2. In July 1951, the D.F.O., South Kanara sold in auction to one Sri K. Narayana Bhat 1172 'C' class teak logs of 8724 c.ft. at Rs. 5-5-0 per c.ft. The amount realised from the sale was Rs. 46,346-4-0 against which the purchaser had deposited Rs. 9,500/-. When the purchaser was pressed to pay the balance amount due ~~to~~ by him, he represented to the D.F.O. about the inaccuracies in the departmental measurement of the logs. A subsequent measurement of the logs disclosed a deficit of 1040 c.ft. in the lot sold to the purchaser. When the matter was referred to the C.C.F., the previous C.C.F. held that the purchaser should be bound by the conditions of the sale under which he should have accepted the departmental measurement, and that he should pay the balance due to Govt. under his contract. It was also ordered by the C.C.F. that Departmental action might be taken against the subordinate officers responsible for the wrong measurement. When the purchaser was pressed for the payment of the balance amount, he issued a suit notice under Section 80 C.P.C. for the refund of the amount of Rs. 9,500/- collected from him as deposit together with interest at 6% per annum from the date of its payment. The Govt.Pleader, South Kanara, was of the view that the Govt. had not a very strong case and he suggested that the question might be settled amicably with the plaintiff. The contractor also subsequently filed a suit on 28-8-1953 and

para 3 on p7 of ②

N on p8 of ②

R on p8 of ②

para 6 on p8 of ②

-do-

Subpara 2 of para 7 on p9 of ②

the Collector was instructed to negotiate and effect a compromise if the plaintiff was agreeable to such a course. The Govt. at the instance of the C.C.F. also sanctioned the payment of a sum of Rs. 12,728-10-10 to the party for effecting the compromise. In August 1955, the C.C.F. reported that the timber when resold fetched only a sum of Rs. 6,295/- and the total loss incurred by the Govt. amounted to Rs. 43,088-10-0 as detailed in reference on p.5 c.f.

3. At the instance of the Finance Dept. the C.C.F. was asked in the Memo on pp. 7-8 c.f. to consider the question of recovering a part or whole of the loss from the persons responsible for the loss in question. He was also asked to submit a report on the disciplinary action taken against the subordinates involved and also the steps taken to have the ultimate loss written off.

4. In his reply on p.9 c.f. the C.C.F. has stated that, as soon as Sri K. Narayana Bhat refused to take delivery of the logs on the score of alleged short measurement, the then D.F.O. should have cancelled the contract and sold the logs in public auction, at the risk of the contractor, but the D.F.O. is not reported to have taken this line of action. He has stated that the D.F.O. concerned was Sri C. Sreedhara Mannadiar, who has since retired. The Conservator, Ootacamund Circle, is reported to have fixed the responsibility for the wrong measurement on Sri N.P. Chirukantan, Ranger, and Sri M. Manamohan, trained Forester. The Forester is reported to have been permanently debarred from promotion to Ranger's cadre, and the Ranger has been asked to show cause against combulsory retirement, which is stated to be under consideration. The loss in question is stated to be Rs. 43 088-10-0. As it is not

Sub-para 2 of para 7 on p9 ct 7(2)

'X' on p 35 cf 1(2)

'A' on p 5 c f.

p3 ante

'A' on p 9 c f

'B' on p 9 c f

'C' on p 9 c f

possible to recover in part or in whole such a huge amount from the poorly paid subordinates, the C.C.F. has suggested that the loss may be written off under section 66 of the Madras Forest Dept. Code.

5. As the officer involved (Sri C.Sreedhara Mannadiar) has retired from service, it is considered that it would be hard to recover such a large sum as Rs. 43,088-10-0 from the Ranger and Forester, who alone could be now held responsible for the wrong measurement of the logs, and against whom disciplinary action has been taken. It is therefore proposed to accept the suggestion of the C.C.F. and write off the loss of Rs. 43,088-10-0. Finance have accepted the proposal, but have suggested that the case may be circulated to M.(F.& E)

6. It is now for orders whether the recommendation of the C.C.F. will be accepted and the loss amounting to Rs. 43,088-10-0 written off.

Apart from the incorrect measurement of the logs, the main reason for the loss (the difference between the original bid amount & the subsequent one) was the delay on the part of the D.F.O. in cancelling the original contract & putting up the timber for a resale. The original auction was in July 1954, and the resale was held only in August 1955. While the subordinates can to a certain extent be held responsible for the wrong measurement, the D.F.O. only can be held responsible for the delay in cancelling the sale & ordering a resale. But as the officer has been retired from service, it would not be fair

-10-

to recover the amount from the R.O. & the forester alone.

Proposal at 'A' on p.9 ante may be approved

7.1.56.

D.K. Saikaraadevelu

9.1.56.

M(A) M. Bhaktavatsalam 15-1-56

M(F&E) C. Subramaniam 17.1.56.

Orders above:-

A draft order is submitted below for approval. Finance may see before issue.

23.1.56

21.1.56.

23/1/56

Agri. U.O. No. 59702-C.IV/55-11

23.1.56.

Fin (Accts)

(Previously seen in Fin on p 6 ante)

Orders in circular above and the draft order below may be passed.

31.1.56.

1.2.56

Agri (C.IV) Deputy Fin U.O. 7591 dated/56

1.2.56

Finance have seen the draft order below. It may now issue.

4.2.56

7.2.56

4.2.56.

4.2.56

Issued as GO(Ms)No. 299, Agri., dt. 7-2-56